

Remarks/Arguments

The Office has rejected claims 1-8 under 35 U.S.C. § 112, first paragraph as failing to comply with the written description requirement. Further, the Office has rejected claims 1-5 and 7-8 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,286,762 to Reynolds et al. (hereinafter "Reynolds") in view of U.S. Patent No. 6,119,941 to Katsandres et al. (hereinafter "Katsandres"). Finally, the Office has rejected claim 6 under 35 U.S.C. § 103(a) as being unpatentable over Reynolds in view of Katsandres and further in view of U.S. Patent No. 5,121,103 to Minasy et al. (hereinafter "Minasy"). Applicant has cancelled claims 1-8 thereby addressing these grounds for rejection.

Claims 9-16 are newly added, support for which is found in the original application. New claims 9-16 recite, in part, "activating a bad read indicator to produce a *single* bad read indication by [a] checkout device" if item identification information is not received from *both* a bar code label and a radio frequency identification label (emphasis added). Similarly, claims 9-16 recite, in part, "activating a good read indicator to produce a *single* good read indication by the checkout device" if item identification information is received from *both* the barcode label and the radio frequency identification label by the checkout device (emphasis added). Applicant is unaware of, and the Office has not pointed out, any portions of Reynolds, Katsandres or Minasy, alone or in combination, which teaches or suggests the above noted limitations of Applicant's claims. As a result, all of Applicant's claims are patentable over these references.

Conclusions

In light of the foregoing, Applicant asks the Office to reconsider this application and to allow all of the claims. Please apply any charges that might be due, excepting the issue fee but including fees for extensions of time, to deposit account 14-0225.

Respectfully,



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